



Patent
032580.0006.CIP1

DECLARATION Utility Application

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD OF INSERTION AND IMPLANTATION OF IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR CANISTERS** the specification of which

(Check One) is attached hereto OR
 was filed on August 27, 2001 as United States Application Serial No.
09/940,377; PCT International Application No.
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed Yes No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

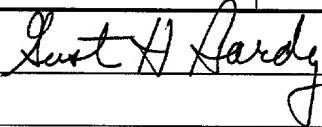
Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

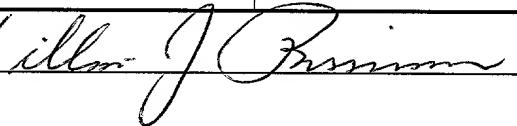
U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/663,607		September 18, 2000	Pending
09/663,606		September 18, 2000	Pending

Residence, post office address, citizenship and signature of inventor(s) set forth beginning on next page.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Gust H. Bardy, et al.) Group Art Unit: 3762
Serial No.: 09/940,377) Examiner: To be assigned
Filed: August 27, 2001)
For: **METHOD OF INSERTION AND**)
IMPLANTATION OF IMPLANTABLE)
CARDOVERTER-DEFIBRILLATOR)
CANISTERS)

GRANT OF POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

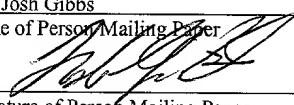
Sir:

As representative of the assignee of an entire interest in the above-identified application, the undersigned hereby appoints as attorney for the assignee herein, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, John M. Benassi, Reg. No. 27,483; Richard L. Blaylock, Reg. No. 43,503; Bradford J. Duft, Reg. No. 32,219; Jeffrey W. Guise, Reg. No. 34,613; Kurt M. Kjelland, Reg. No. 41,901; Stephen S. Korniczky, Reg. No.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

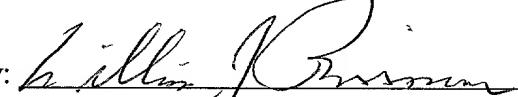
1/13/03/01
Date of Deposit

Josh Gibbs
Name of Person Mailing Paper

Signature of Person Mailing Paper

34,853; Edward O. Kreusser, Reg. No. 38,523; Alma Levy, Reg. No. 43,751; F.T. Alexandra Mahaney, Reg. No. 37,668; Sean McGeehan, Reg. 48,537; Peter R. Munson, Reg. No. 43,821; Douglas C. Murdock, Reg. No. 37,549; Vicki G. Norton, Reg. No. 40,745; Douglas E. Olson, Reg. No. 22,798; Richard H. Pagliery, Reg. No. 44,276; John Peterson, Reg. No. 45,894; Jonathan L. Pettit, Reg. No. 40,770; Andrew D. Skale, Reg. No. 44,338; Franklin D. Ubell, Reg. No. 27,009; Peter D. Weinstein, Reg. No. 43,251; Anatoly Weiser, Reg. No. 43,229; and Jessica R. Wolff, Reg. No. 37,261 of Brobeck, Phleger & Harrison LLP, 12390 El Camino Real, San Diego, California 92130; telephone (858) 720-2500.

Respectfully submitted,

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By: 

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Title: President

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